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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,051	10/25/2000	Adrian John Waynforth Angell	7129	9273

27752 7590 09/11/2002

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EXAMINER

DOUYON, LORNA M

ART UNIT	PAPER NUMBER
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1751

7

DATE MAILED: 09/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/674,051

Applicant(s)

ANGELL ET AL.

Examiner

Lorna M. Douyon

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 15-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 15-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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1. This action is responsive to the amendment filed on April 30, 2002.
2. The cancellation of claims 37-38 is acknowledged. Claims 1-2, 15-36 are pending.
3. The rejection of claims 1-2, 15-35 under 35 U.S.C. 103(a) as being unpatentable over Welch et al. (H1604) is withdrawn in view of applicants' arguments.
4. The rejection of claims 26-35, 37-38 under 35 U.S.C. 103(a) as being unpatentable over Pepe et al. (US Patent No. 5,415,806) is withdrawn in view of applicants' arguments.
5. The rejection of claim 36 under 35 U.S.C. 103(a) as being unpatentable over Dinniwell et al. (US Patent No. 5,569,645) is withdrawn in view of applicants' arguments.
6. The references cited in the Search Report of the corresponding PCT Application have been considered, but will not be listed on any patent resulting from this application because they were not provided on a separate list in compliance with 37 CFR 1.98(a)(1). In order to have the references printed on such resulting patent, a separate listing, preferably on a PTO-1449 form, must be filed within the set period for reply to this Office action.

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7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. Claims 1-2, 15-16, 18-21, 23-31, 33-34 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Kruse et al. (US Patent No. 5,358,655), hereinafter "Kruse".

Kruse teaches a process for the production of detergent tablets for dishwashing machines which comprises spray-drying a granular detergent additive to form spray-dried granules having an apparent density in the range from 350-550g/l, agglomerating the spray dried granules with nonionic surfactant and water in a mixer and the mixture is tabletted having a density between 1.2 and 2 g/cm<sup>3</sup> (see col. 3, line 12 to col. 7, line 6). See also Example 1 under cols. 7-8. Even though Kruse does not explicitly disclose the intra-particle porosity of the detergent additive it would be inherent for the detergent additive to have a porosity within those recited because spray-dried granules possess a porosity as those recited. Hence, Kruse anticipates the claims.

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10. Claims 1-2, 15-21, 23-31, 33-35 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Joshi (US Patent No. 4,451,386).

Joshi teaches a process for producing detergent tablets from free flowing spray dried builder beads having a bulk density from 500-800 g/l and a porous, sponge-like outer surface and a skeletal internal structure (see abstract; col. 3, lines 22-25, 50-57) by spraying nonionic detergent onto the spray-dried builder beads and compressing at sufficient pressure, typically from about 3/4 ton to about 3 tons per square inch to form tablets for use in a washing machine (see Examples; col. 4, lines 51-55; claim 1). Even though Joshi does not explicitly disclose the density of the tablet, it would be inherent for the tablet to have a density as that recited because the compression pressure as above would have produced a tablet with a density of at least 1000 g/l.

11. Claims 22 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kruse or Joshi as applied to the above claims, and further in view of Christie et al. (US Patent No. 5,698,504), hereinafter "Christie".

Kruse or Joshi teaches the features as described above. Kruse or Joshi, however, fails to disclose polyethylene glycol having a molecular weight of less than about 1000 as the spraying liquid.

Christie teaches the equivalency of ethoxylated nonionic surfactants and polyethylene glycol with an average molecular weight from 600 to  $5 \times 10^6$  as binders in similar tablet compositions (see col. 10, lines 17-32; col. 22, lines 7-9).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the nonionic surfactant binder of Kruse or Joshi with polyethylene glycol having a molecular weight of about 600 because the substitution or art recognized equivalents is within the level of ordinary skill in the art.

12. Claims 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pancheri (US Patent No. 5,731,279).

Pancheri teaches cleaning compositions which may be in the form of granules, agglomerates, laundry bar, liquid, gel or a tablet (see col. 5, lines 8-10). Pancheri also teaches detergent compositions comprising base granules prepared by spray drying, admixed with agglomerates and admixed with nonionic surfactants (see Examples VIII-XIII under cols. 32-33). Pancheri, however, fails to explicitly disclose tableting the detergent compositions.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to prepare the detergent compositions in tablet form because Pancheri teaches that his compositions can be prepared in many forms, one of which is in tablet form.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (703) 305-3773. The examiner can normally be reached on Mondays-Fridays from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta, can be reached on (703) 308-4708. The fax phone number for this Technology Center is:

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(703) 872-9311 - for Official After Final faxes  
(703) 872-9310- for all other Official faxes.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 308-0661.

September 9, 2002

*Lorna M. Douyon*  
Lorna M. Douyon  
Primary Examiner  
Art Unit 1751